REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Initially, the Applicant wishes to thank Examiner Berman and Primary Examiner Starks for conducting the telephone interview on July 30, 2008. During the interview, the applied art and arguments distinguishing the claims over the applied prior art were discussed.

The Examiners suggested amending the independent claims to recite the subject matter from paragraph [0041] of the original specification. Specifically, the Examiners suggested amending the independent claims to include reducing the possibility of automatic execution by artificially reducing the statistics with respect to a history of the consecutive operations causing the automatic execution. Independent claims 1 and 23-26 have therefore been amended to include the subject matter suggested by the Examiners.

Claims 1, 4-13, 17, 18 and 20-26 are pending in this application and stand rejected. Claims 1 and 22-26 are amended herein. No new matter has been added.

Claims 1, 4-13, 17, 18 and 21-26 have been rejected under 35 U.S.C. § 101 because the Examiner asserted that the claimed inventions are directed towards non-statutory subject matter. Specifically, the Examiner asserted that although the notification as recited in the claims is a final result, there does not appear to be a final result in the event that the next operation is the same as the actual next operation.

Independent claims 1 and 23-26 have been amended to recite "not providing the user with a notification to indicate that the actual next operation coincides with the anticipated next operation when the actual next operation is the same as the anticipated next operation." Thus, by not providing the notification, the anticipated operation supporting section communicates to the user that the actual next operation coincides with the anticipated next operation when the actual next operation is the same as the anticipated next operation.

Accordingly, the Applicant submits that claims 1 and 23-26 have been amended to recite statutory subject matter, and respectfully request that the 35 U.S.C. § 101 rejection of claims 1, 4-13, 17, 18 and 21-26 be withdrawn.

Claims 1, 4-13, 17, 18 and 21-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Luciw et al. (U.S. Patent No. 5,390,281) (hereinafter referred to as "Luciw") in view of Clancey et al. (U.S. Patent No. 6,216,098) (hereinafter referred to as "Clancey").

Claims 1 and 23-26 have been amended to further distinguish the present invention, as recited therein, from the references relied upon in the above mentioned rejection.

The above-mentioned rejection is submitted to be inapplicable to the amended claims for the following reasons.

Claim 1 is patentable over the combination of Luciw and Clancey, because claim 1 recites an information terminal device for executing, based on an operation input by a user, a function corresponding to the operation, including, in part, an operation history storing section for storing information about the operation input to the input section and about a time at which the operation is inputted as an operation history, and an operation anticipating section for anticipating, when the operation is input to the input section, a next operation to be subsequently input by the user from operations determined as consecutive operations in accordance with the time, based on the operation history information stored in the operation history information storing section.

Moreover, the information terminal device of claim 1 includes an anticipated operation supporting section for comparing an actual next operation, which is newly input from the input section, after the operation anticipating section has anticipated the next operation, with the anticipated next operation, and providing the user with a notification indicating that the actual next operation does not coincide with the anticipated next operation when the anticipated next operation is different from the actual next operation. Furthermore, by not providing the notification, the anticipated operation supporting section provides the user with a notification to indicate that the actual next operation coincides with the anticipated next operation when the actual next operation is the same as the anticipated next operation. Additionally, the anticipated operation supporting section is for reducing the possibility of automatic execution, wherein automatic execution occurs when the operation anticipating section notifies an anticipated operation executing section of an operation, by reducing statistics with respect to the history of the consecutive operations causing the automatic execution.

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As admitted by the Examiner in the Office Action, Luciw does not disclose "an anticipated operation supporting section for comparing an actual next operation which is newly input from the input section, after the operation anticipating section has anticipated the next operation, with the anticipated next operation, and providing the user with a notification only when the anticipated next operation is different from the actual next operation." The Examiner cited Clancey as teaching this feature, and specifically asserted that Clancey discloses "transmitting differences, issues, or problems identified by the comparator process to an advisor process running on a computer; and running the advisor process to formulate differences, issues, or problems received from the comparator process and to provide them in the form of assistance or teaching to the user."

In contrast to the present invention, Clancey discloses information 154 that indicates, for example, the history of an agent's activities, interests and preferences of the user, such as the areas in which the user would like assistance. A comparator runs models in a forward looking mode, for prediction, and in an explanatory mode, to support its diagnostic and didactic functions. The comparator compares predictions generated by the model with the actions of the user, and differences, issues or problems that are of interest are identified by the comparator, and these are formulated by an advisor process 156 to provide assistance or teaching to the user 144. However, the comparator as described in Clancey does not reduce the possibility of automatic execution by reducing statistics with respect to the history of the consecutive operations causing the automatic execution.

Moreover, there is no disclosure or suggestion to modify Clancey such that the comparator reduces the possibility of automatic execution by reducing statistics with respect to the history of the consecutive operations causing the automatic execution. Furthermore, there is no disclosure or suggestion to modify Clancey such that information 154 includes information about an operation input to an input section and about a time at which the operation was inputted. Additionally, there is no disclosure or suggestion to modify Clancey to provide a user with a notification indicating that an actual next operation does not coincide with an anticipated next operation when the anticipated next operation is different from the actual next operation, and not provide the user with a notification to indicate that the actual next operation coincides with the

anticipated next operation when the actual next operation is the same as the anticipated next operation.

In other words, Clancey <u>does not</u> disclose an information terminal device including *an operation history storing section for storing information about the operation input to the input section <u>and about a time at which the operation is inputted</u> as an operation history*, and an *operation anticipating section for anticipating, when the operation is input to the input section, a next operation to be subsequently input by the user <u>from operations determined as consecutive operations in accordance with the time,</u> based on the operation history information stored in the operation history information storing section.*

Moreover, Clancey <u>does not</u> disclose *providing the user with a notification indicating that the actual next operation does not coincide with the anticipated next operation when the anticipated next operation is different from the actual next operation, not providing the user with a notification to indicate that the actual next operation coincides with the anticipated next operation when the actual next operation is the same as the anticipated next operation, and <u>reducing the possibility of automatic execution, wherein automatic execution occurs when the operation anticipating section notifies an anticipated operation executing section of an operation, by reducing statistics with respect to the history of the consecutive operations causing the automatic execution.</u>*

The Examiner asserted in the Office Action that Clancey employs an agent model that is modeled after a user to predict user behavior. However, as discussed above, the comparator as described in Clancey does not reduce the possibility of automatic execution, where automatic execution occurs when the operation anticipating section notifies an anticipated operation executing section of an operation, by reducing statistics with respect to the history of the consecutive operations causing the automatic execution.

Thus, it is clear that Clancey also fails to suggest or disclose the above-discussed features of the claimed information terminal device as recited in claim 1.

Regarding claims 23-26, they are patentable over the references relied upon in the rejections for reasons similar to those set forth above in support of claim 1. That is, claims 23-26 each similarly recite, in part, *providing a user with a notification indicating that the actual next*

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operation does not coincide with the anticipated next operation when the anticipated next operation is different from the actual next operation, not providing the user with a notification to indicate that the actual next operation coincides with the anticipated next operation when the actual next operation is the same as the anticipated next operation, and reducing the possibility of automatic execution, wherein automatic execution occurs when an operation anticipating section notifies an anticipated operation executing section of an operation, by reducing statistics with respect to the history of the consecutive operations causing the automatic execution. These features are neither disclosed nor suggested by the cited reference.

For at least the reasons set forth above, it is respectfully submitted that the above-discussed features as recited in claims 1 and 23-26 are not disclosed in the references applied by the Examiner. Furthermore, it is respectfully submitted that one of ordinary skill in the art at the time the invention was made would not have found it obvious to modify Luciw under 35 U.S.C. § 103(a) in such a manner as to result in the invention of claims 1 and 23-26. Therefore, it is respectfully submitted that claim 1, and claims 4-13, 17, 18 and 20-22 depending therefrom, and claims 23-26 are clearly allowable.

In view of the foregoing amendments remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issue.

Respectfully submitted,

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